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5 Attorneys for Defendants
6 HON. MARIA E. STRATTON, Presiding
7 Justice of the California Court of Appeal,
8 Second Appellate District, Division Eight;
9 HON. ELWOOD G. LUI, Administrative
10 Presiding Justice of the California Court of
11 Appeal, Second Appellate District, Division
Two; HON. JUDITH ASHMANN-GERST,
Associate Justice of the California Court of
Appeal, Second Appellate District, Division
Two; MELISSA REAL, Clerk at California
Court of Appeal, Second Appellate District;
and CALIFORNIA COURT OF APPEAL,
SECOND APPELLATE DISTRICT

UNITED STATES DISTRICT COURT OF CALIFORNIA
CENTRAL DISTRICT — SOUTHERN DIVISION

16 | RESHMA KAMATH, D/B/A LAW
17 | OFFICE OF RESHMA KAMATH, an
individual,

18 Plaintiff,

19 || v.

20 JUDITH ASHMANN-GERST, MARIE
21 E. STRATTON, MELISSA REAL,
22 ELWOOD LIUI, APPELLATE COURT
23 DIVISION TWO; STATE BAR OF
CALIFORNIA, YEAL TOBI, JEFFREY
BROWN, COBURN AND
THOMPSON LP, JEFFREY DZECH,
and DOES 1 - 10, INCLUSIVE.

24 Defendants.

Case No. 8:23-cv-02193-SVW-SSC
Judge: Hon. Stephen V. Wilson

RESPONSE TO OBJECTION TO
COURT'S FEBRUARY 7, 2024,
ORDER [Dkt. No. 12]

Trial Date: Not Set
Action Filed: November 22, 2023

1 Defendants the Honorable Maria E. Stratton, Presiding Justice of the
 2 California Court of Appeal, Second Appellate District, Division Eight; the Honorable
 3 Elwood G. Lui, Administrative Presiding Justice of the California Court of Appeal,
 4 Second Appellate District, Division Two; the Honorable Judith Ashmann-Gerst,
 5 Associate Justice of the California Court of Appeal, Second Appellate District,
 6 Division Two; Melissa Real, Clerk at California Court of Appeal, Second Appellate
 7 District; and the California Court of Appeal, Second Appellate District, Division Two
 8 (collectively, “Defendants”) respectfully submit the following response to Plaintiff
 9 Reshma Kamath, d/b/a Law Office of Reshma Kamath’s (“Plaintiff”) objection to
 10 the Court’s February 7, 2024, order on Plaintiff and Defendants’ (collectively,
 11 “Parties”) stipulation regarding the amendment of the Complaint and extension of
 12 time to respond thereto.

13 In late December 2023, Plaintiff informed Defendants’ counsel, Matthew L.
 14 Green, that Plaintiff intended to file an amended complaint and planned to do so in
 15 mid-January 2024. (Green Decl., Ex. 1 at 8-10.) After no amended complaint was
 16 filed, Mr. Green contacted Plaintiff in late January 2024, to inquire regarding its
 17 status. (*Id.*, Ex. 1 at 8.)

18 In response, Plaintiff stated she had been unable to file an amended complaint
 19 due to deadlines in other matters, but confirmed she still intended to do so. (*Id.*, Ex.
 20 1 at 6-7.) Given Defendants’ response to the Complaint was due on February 13,
 21 2024, Plaintiff and Mr. Green agreed to enter a stipulation allowing Plaintiff to file
 22 an amended complaint and providing Defendants 30 days thereafter to file their
 23 responsive pleading, which stipulation Mr. Green agreed to prepare for Plaintiff’s
 24 review. (*Id.*, Ex. 1 at 1-6.)

25 On February 5, 2024, Mr. Green sent the draft stipulation and proposed order
 26 to Plaintiff for her review. (*Id.*, Ex. 1, Attachments.) Both the draft stipulation and
 27 proposed order transmitted to Plaintiff provided that she amend her pleading on or
 28 before March 1, 2024. (*Id.*, Ex. 1, Stipulation at 2:26-27, Proposed Order at 2:10-11.)

1 Plaintiff responded with one, non-substantive edit to the draft stipulation and
 2 authorized Mr. Green to electronically sign the stipulation for her. (*Id.*, Ex. 2 at 2-3.)
 3 Mr. Green thereafter informed Plaintiff that he had made the requested change to the
 4 stipulation, and would add her electronic signature and submit the stipulation to the
 5 Court. (*Id.*, Ex. 2 at 2.)

6 At no time did Plaintiff comment on the March 1, 2024, deadline, let alone
 7 propose a different date. (*See id.*, Ex. 2.) Instead, after the stipulation and proposed
 8 order were submitted to the Court, and the Court entered its order thereon, (Dkt. Nos.
 9 10, 10-1, 11), Plaintiff filed an objection to the order. (Dkt. No. 12.) Despite the
 10 express terms of the stipulation and proposed order to which she agreed, Plaintiff
 11 bewilderingly contends her “filing deadline [to amend her pleading] was supposed to
 12 be open-ended” (*Id.* at 2:10 (emphasis omitted).) Plaintiff also suggests that the
 13 Court’s order may be “the start of bias and prejudice growing towards Indian-
 14 Americans in this court as well[,]” which are the same accusations leveled at
 15 Defendants in this action. (*Id.* at 2:14-15 (emphasis omitted); *see also* Dkt. No. 1.)
 16 Plaintiff concludes her objection by requesting that her deadline to file an amended
 17 complaint be moved to April 1, 2024, which she asserts will likely be denied because
 18 “most courts in California do not find good cause when non-White attorneys request
 19 [sic].” (Dkt. No. 12 at 2:18-21.)

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1 Plaintiff's accusations against this Court are offensive, baseless, and simply
 2 baffling. Defendants nevertheless have no objection to extending the date for Plaintiff
 3 to file her amended complaint to April 1, 2024. Indeed, Defendants would have
 4 agreed to do so had Plaintiff so suggested when the stipulation was prepared. While
 5 too many resources have already been devoted to the Parties' stipulation and
 6 proposed order, Defendants wished to submit this response in order to clear up any
 7 confusion that Plaintiff's objection to the Court's February 7, 2024, order may have
 8 created.¹

9 Dated: February 9, 2024

BEST BEST & KRIEGER LLP

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 11 By: /s/ Matthew L. Green
 12 MATTHEW L. GREEN
 13 Attorneys for Defendants
 14 HON. MARIA E. STRATTON,
 15 Presiding Justice of the California
 16 Court of Appeal, Second Appellate
 17 District, Division Eight; HON.
 18 ELWOOD G. LUI, Administrative
 19 Presiding Justice of the California
 20 Court of Appeal, Second Appellate
 21 District, Division Two; HON.
 22 JUDITH ASHMANN-GERST,
 23 Associate Justice of the California
 24 Court of Appeal, Second Appellate
 25 District, Division Two; MELISSA
 26 REAL, Clerk at California Court of
 27 Appeal, Second Appellate District;
 28 and CALIFORNIA COURT OF
 APPEAL, SECOND APPELLATE
 DISTRICT

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¹ Mr. Green also reached out to Plaintiff regarding her objection. (Green Decl., Ex. 3 at 1-3.) In a similarly puzzling fashion, Plaintiff falsely claimed that she did not agree to a March 1, 2024, deadline and that Mr. Green "unilaterally" selected that date, and accused Mr. Green of some unspecified "opposing counsel tactic." (*Id.*, Ex. 3 at 1-2.)

1 Reshma Kamath, et al. v. Ashmann-Gerst, et al.
2 United States District Court, Central District of California,
3 Southern Division Case No. 23-cv-02193-SVW-SSC

4 **PROOF OF SERVICE**

5 I, Lisa Atwood, declare:

6 I am a citizen of the United States and employed in San Diego County, California.
7 I am over the age of eighteen years and not a party to the within-entitled action. My
8 business address is 655 West Broadway, 15th Floor, San Diego, California 92101. On
9 February 9, 2024, I served a copy of the within document(s):

10 **RESPONSE TO OBJECTION TO COURT'S FEBRUARY 7, 2024,
11 ORDER [Dkt. No. 12];**

12 **DECLARATION OF MATTHEW L. GREEN IN SUPPORT OF
13 RESPONSE TO OBJECTION TO COURT'S FEBRUARY 7, 2024,
14 ORDER [Dkt. No. 12]**

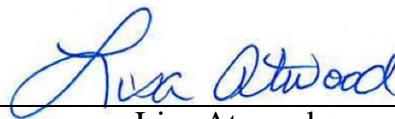


16 **By Electronic Service.** Pursuant to CM/ECF System, registration as a
17 CM/ECF user constitutes consent to electronic service through the Court's
18 transmission facilities. The Court's CM/ECF system sends an e-mail
19 notification of the filing to the parties and counsel of record who are
20 registered with the Court's EC/ECF system.

21 I declare that I am employed in the office of a member of the bar of this court at
22 whose direction the service was made.

23 Executed on February 9, 2024, at San Diego, California.

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Lisa Atwood